

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF OKLAHOMA

MICHAEL WAYNE HOWELL,)	
)	
Petitioner,)	
)	
vs.)	Case No. CIV-07-1008-D
)	
RANDALL G. WORKMAN, Warden,)	
Oklahoma State Penitentiary,)	
)	
Respondent.)	

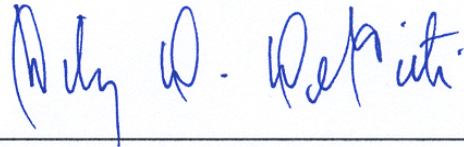
ORDER DENYING CERTIFICATE OF APPEALABILITY

On this date, the Court has issued a Memorandum Opinion and Judgment denying Petitioner’s request for habeas relief. Docs. 39 and 40. Pursuant to Rule 11(a) of the Rules Governing Section 2254 Cases in the United States District Courts, the Court denies a certificate of appealability.

Pursuant to 28 U.S.C. § 2253(c)(1), Petitioner may not appeal the denial of his habeas petition unless he obtains a certificate of appealability (COA). A COA is issue specific and is appropriate only if Petitioner “has made a substantial showing of the denial of a constitutional right.” 28 U.S.C. § 2253(c)(2), (c)(3). Where a claim has been denied on the merits, Petitioner can satisfy this standard by showing “that reasonable jurists could debate whether (or, for that matter, agree that) the petition should have been resolved in a different manner or that the issues presented were adequate to deserve encouragement to proceed further.” Slack v. McDaniel, 529 U.S. 473, 484 (2000) (quotations omitted). See also Allen v. Zavaras, 568 F.3d 1197, 1199 (10th Cir. 2009).

Having thoroughly reviewed each issue raised by Petitioner, the Court finds that, for the reasons set forth in the Memorandum Opinion, none satisfy the standard for the granting of a COA. Therefore, the Court DENIES a COA as to all of Petitioner's grounds for relief.

IT IS SO ORDERED this 28th day of October, 2011.



TIMOTHY D. DEGIUSTI
UNITED STATES DISTRICT JUDGE